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Fiftieth session
Agenda item 95

SUSTAINABLE DEVELOPMENT AND INTERNATIONAL ECONOMIC COOPERATION

Report of the Second Committee (Part I)*

Rapporteur: Mr. Basheer F. ZOUBI (Jordan)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 27 September 1995, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fiftieth session the item entitled:

"Sustainable development and international economic cooperation:

"(a) Trade and development;

"(b) Human settlements;

"(c) United Nations Conference for Human Settlements (Habitat II);

"(d) Science and technology for development;

"(e) Implementation of the Programme of Action for the Least Developed Countries for the 1990s;

"(f) Women in development;

"(g) Human resources development;

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* The report of the Committee on this agenda item will be issued in several parts, under the symbol A/50/617 and addenda.

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"(h) Business and development;

"(i) International cooperation for the eradication of poverty in developing countries;

"(j) United Nations initiative on opportunity and participation"

and to allocate it to the Second Committee.

2. At its 55th plenary meeting, on 10 November 1995, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fiftieth session an additional item entitled "Food and sustainable agricultural development", as sub-item 95 (k), and to allocate it to the Second Committee.

3. The Second Committee held general discussions on the item at its 30th to 36th meetings, from 13 to 16 November 1995. The general discussion on sub-items (a), (d) and (e) was held at the 30th to 32nd meetings, on 13 and 14 November. The general discussion on sub-items (b) and (c) was held at the 33rd and 34th meetings, on 15 November. The general discussion on sub-items (f), (g), (h), (i), (j) and (k) was held at its 35th and 36th meetings, on 16 November. An account of the Committee's general discussion of the item is contained in the relevant summary records (A/C.2/50/SR.30-36). Attention is also drawn to the general debate held by the Committee at its 3rd to 8th meetings, on 3, 4 and 9 to 11 October (see A/C.2/50/SR.3-8). An account of the Committee's further consideration of the item will be given in the addenda to the present report.

4. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Secretary-General on the implementation of the programme for the Second Industrial Development Decade for Africa 1993-2002 (A/50/487);

(b) Letter dated 27 March 1995 from the Permanent Representative of Bahrain to the United Nations transmitting the press communiqué issued by the Ministerial Council of the Gulf Cooperation Council following its fifty-fourth session, held at Riyadh on 19 and 20 March 1995 (A/50/123-S/1995/228);

(c) Letter dated 19 June 1995 from the Permanent Representative of Canada to the United Nations addressed to the Secretary-General transmitting the final documents of the summit meeting of seven major industrialized countries, held at Halifax, Canada, from 15 to 17 June 1995 (A/50/254-S/1995/201);

(d) Letter dated 21 June 1995 from the Permanent Representative of Bahrain to the United Nations addressed to the Secretary-General transmitting the press release issued by the Ministerial Council of the Gulf Cooperation Council following its fifty-fifth session, held at Riyadh on 10 and 11 June 1995 (A/50/255-S/1995/504);

(e) Letter dated 30 August 1995 from the Permanent Representative of Algeria to the United Nations addressed to the Secretary-General transmitting a

press release issued following the second meeting of Ministers for Foreign Affairs of the countries of the Sahelo-Saharan region, held at Algiers on 23 and 24 August 1995 (A/50/400);

(f) Note verbale dated 5 September 1995 from the Chargé d'affaires a.i. of the Permanent Mission of Trinidad and Tobago to the United Nations addressed to the Secretary-General transmitting the text of the communiqué and the Declaration of Principles on Tourism, Trade and Transportation and Plan of Action of the Inaugural Summit of the Association of Caribbean States, held at Port-of-Spain on 17 and 18 August 1995 (A/50/407);

(g) Letter dated 8 September 1995 from the Permanent Representative of Ecuador to the United Nations addressed to the Secretary-General transmitting the Final Declaration of the Ninth Meeting of Heads of State and Government of the Rio Group, held at Quito on 4 and 5 September 1995 (A/50/425-S/1995/787);

(h) Letter dated 21 September 1995 from the Permanent Representative of Bahrain to the United Nations addressed to the Secretary-General transmitting the press communiqué issued by the Ministerial Council of the Gulf Cooperation Council following its fifty-sixth session, held at Riyadh on 18 and 19 September 1995 (A/50/466-S/1995/817);

(i) Letter dated 18 September 1995 from the Chargé d'affaires a.i. of the Permanent Mission of Papua New Guinea to the United Nations addressed to the Secretary-General transmitting the communiqué of the twenty-sixth South Pacific Forum, held at Madang, Papua New Guinea, from 3 to 15 September 1995 (A/50/475);

(j) Letter dated 2 October 1995 from the Permanent Representative of the Philippines to the United Nations addressed to the Secretary-General transmitting the Ministerial Declaration of the Group of 77 adopted at the nineteenth annual meeting of Ministers for Foreign Affairs of the Group, held at United Nations Headquarters on 29 September 1995 (A/50/518);

Item 95 (a). Trade and development

(a) Report of the Trade and Development Board on the second part of its forty-first session and the first part of its forty-second session (A/50/15, vol. I);

(b) Report of the Secretary-General on economic measures as means of political and economic coercion against developing countries (A/50/439);

(c) Note by the Secretary-General on progress in the implementation of specific actions related to the particular needs and problems of land-locked developing countries (A/50/341);

(d) Note by the Secretary-General on negotiations on an international code of conduct on the transfer of technology (A/50/486);

(e) Note by the Secretary-General transmitting the proposals of the United Nations Conference on Trade and Development for translating commitments made at the Uruguay Round of multilateral trade negotiations regarding the least

developed among the developing countries and net food-importing countries into concrete action (A/50/740);

(f) Letter dated 8 June 1995 from the Permanent Representative of India to the United Nations addressed to the Secretary-General, transmitting the text of the Delhi Declaration issued at the eighth meeting of the Heads of State or Government of the member countries of the South Asian Association for Regional Cooperation, held at New Delhi from 2 to 4 May 1995 (A/50/215-S/1995/475);

(g) Letter dated 2 November 1995 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General (A/C.2/50/7);

(b) Human settlements

(a) Report of the Commission on Human Settlements on the work of its fifteenth session; 1/

(b) Report of the Commission on Human Settlements on the implementation of the Global Strategy for Shelter to the Year 2000; 2/

(c) United Nations Conference for Human Settlements (Habitat II)

(a) Report of the Preparatory Committee for Habitat II; 3/

(b) Report of the Secretary-General on preparations for Habitat II (A/50/519);

(c) Note by the Secretary-General transmitting the report of the regional commissions on the preparations for Habitat II at the regional level (A/50/411);

(d) Note by the Secretariat on the provisional rules of procedure of Habitat II (A/C.2/50/9 and Corr.1);

(d) Science and technology for development

(a) Report of the Secretary-General on the implementation of General Assembly resolution 48/179 (A/50/649);

(b) Note by the Secretary-General transmitting the report of the Joint Inspection Unit entitled "United Nations system support for science and technology in Africa" (A/50/125-E/1995/19);

1/ Official Records of the General Assembly, Fiftieth Session, Supplement No. 8 and corrigenda (A/50/8 and Corr.1 and 2).

2/ Ibid., addendum (A/50/8/Add.1).

3/ Ibid., Supplement No. 37 (A/50/37).

(c) Note by the Secretary-General transmitting the comments of the Administrative Committee on Coordination on the report of the Joint Inspection Unit entitled "United Nations system support for science and technology in Africa" (A/50/125-E/1995/19/Add.1);

(e) Implementation of the Programme of Action for the Least Developed Countries for the 1990s

(a) Report of the Secretary-General on the implementation of General Assembly resolutions 48/171 and 49/98 (A/50/746);

(b) Note by the Secretary-General transmitting the report of the High-level Intergovernmental Meeting on the Mid-term Global Review of the Implementation of the Programme of Action for the Least Developed Countries in the 1990s (A/50/745);

(f) Women in development

Report of the Secretary-General on effective mobilization and integration of women in development: gender issues in macroeconomic policy-making and development planning (A/50/399);

(g) Human resources development

Report of the Secretary-General on developing human resources for development (A/50/330 and Corr.1);

(h) Business and development

Report of the Secretary-General on entrepreneurship and privatization for economic growth and sustainable development (A/50/417);

(i) International cooperation for the eradication of poverty in developing countries

(a) Report of the Secretary-General on international cooperation for the eradication of poverty in developing countries (A/50/396);

(b) Report of the Secretary-General on the draft programme for observance of the International Year for the Eradication of Poverty (A/50/551);

(c) Letter dated 8 June 1995 from the Permanent Representative of India to the United Nations addressed to the Secretary-General (see item 95 (a) above) (A/50/215-S/1995/475);

(j) United Nations initiative on opportunity and participation

(a) Note by the Secretary-General transmitting the report of the United Nations Panel on Opportunity and Participation (A/50/501);

(b) Note by the Secretary-General giving a list of panel members who participated in the United Nations Panel on Opportunity and Participation (A/50/501/Add.1);

(k) Food and sustainable agricultural development

5. At the 30th meeting, on 13 November, introductory statements were made by the President of the Trade and Development Board, the Secretary-General of the United Nations Conference on Trade and Development and the Managing Director of the Country Strategy and Programme Development Division of the United Nations Industrial Development Organization on sub-items (a), (d) and (e) (see A/C.2/50/SR.30).

6. At the same meeting, the Minister for Development Cooperation of Norway, as chairperson of the High-level Intergovernmental Meeting on the Mid-Term Global Review of the Implementation of the Programme of Action for the Least Developed Countries in the 1990s, made a statement (see A/C.2/50/SR.30).

7. At the 33rd meeting, on 15 November, an introductory statement was made by the Assistant Secretary-General and Secretary-General of the United Nations Conference on Human Settlements (Habitat II) on sub-items (b) and (c) (see A/C.2/50/SR.33).

8. At the 35th meeting, on 16 November, introductory statements were made by the Under-Secretary-General for Policy Coordination and Sustainable Development and the representative of the Bureau for Policy and Programme Support of the United Nations Development Programme on sub-items (f), (g), (h), (i), (j) and (k) (see A/C.2/50/SR.35).

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SUSTAINABLE DEVELOPMENT AND INTERNATIONAL ECONOMIC COOPERATION: TRADE AND DEVELOPMENT

Report of the Second Committee (Part II)*

Rapporteur: Mr. Basheer F. ZOUBI (Jordan)

I. INTRODUCTION

1. The Second Committee held a substantive debate on agenda item 95, sub-items (a), (d) and (e) (see A/50/617, para. 3). Action on sub-item (a) was taken at the 36th and 41st to 43rd meetings, on 16 November and 5, 8 and 12 December 1995. An account of the Committee's consideration of the item is contained in the relevant summary records (A/C.2/50/SR.36 and 41-43).

II. CONSIDERATION OF PROPOSALS

A. Draft resolutions A/C.2/50/L.17 and L.73

2. At the 36th meeting, on 16 November, the representative of the Philippines introduced a draft resolution entitled "International trade and development" (A/C.2/50/L.17), submitted by the Philippines, on behalf of the States Members of the United Nations that are members of the Group of 77 and China, and Colombia, on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries, which read:

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"The General Assembly,

"Reaffirming the Declaration on International Economic Cooperation, in particular the Revitalization of Economic Growth and Development of the Developing Countries, 1/ the International Development Strategy for the Fourth United Nations Development Decade, 2/ the United Nations New Agenda for the Development of Africa in the 1990s, 3/ the Programme of Action for the Least Developed Countries for the 1990s, 4/ the Cartagena Commitment, 5/ Agenda 21 6/ and the various agreements that provide an overall policy framework for sustained economic growth and sustainable development in order to address the challenges of the 1990s,

"Recalling its resolutions 1995 (XIX) of 30 December 1964, as amended, 7/ on the establishment of the United Nations Conference on Trade and Development as an organ of the General Assembly, 47/183 of 22 December 1992 on the eighth session of the Conference and 48/55 of 10 December 1993 and 49/99 of 19 December 1994 on international trade and development,

"Welcoming the appointment of the Secretary-General of the United Nations Conference on Trade and Development,

"Noting the progress made by the United Nations Conference on Trade and Development in the implementation of the outcome of its eighth session, in particular its contribution to trade and development,

"Emphasizing the importance of an open, rule-based, equitable, secure, non-discriminatory, transparent and predictable multilateral trading system,

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1/ Resolution S-18/3, annex.

2/ Resolution 45/199, annex.

3/ Resolution 46/151, annex, sect. II.

4/ Report of the Second United Nations Conference on the Least Developed Countries, Paris, 3-14 September 1990 (A/CONF.147/18), part one.

5/ See Proceedings of the United Nations Conference on Trade and Development, Eighth Session, Report and Annexes (United Nations publication, Sales No. E.93.II.D.5), part one, sect A.

6/ Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992, vol. I, Resolutions Adopted by the Conference (United Nations publication, Sales No. E.93.I.8), resolution 1, annex II.

7/ See resolutions 2904 A (XXVII), 31/2 A and B and 34/3.

"Also emphasizing that a favourable and conducive international economic and financial environment and a positive investment climate are necessary for the economic recovery and growth of the world economy, in particular for the sustained economic growth and sustainable development of the developing countries,

"Welcoming the successful conclusion of the Uruguay Round of multilateral trade negotiations at the Ministerial Meeting of the Trade Negotiations Committee, held at Marrakesh, Morocco, from 12 to 15 April 1994, and noting that the Uruguay Round agreements 8/ represent a historic achievement, which is expected to contribute to strengthening the world economy and to lead to more trade, investment, employment and income growth throughout the world and in particular to the promotion of sustained economic growth and sustainable development in the developing countries,

"Noting the assessment and recommendations adopted at the Mid-term Global Review of the Implementation of the Programme of Action for the Least Developed Countries for the 1990s, held in New York from 25 September to 6 October 1995,

"Noting that the Uruguay Round agreements should lead to, inter alia, a substantial liberalization of international trade, the strengthening of multilateral rules and disciplines to ensure more stability and predictability in trade relations, the establishing of rules and disciplines in new areas and noting the founding of a new institutional framework in the form of the World Trade Organization, with an integrated dispute settlement mechanism which should prevent the application of unilateral actions against international trade rules,

"Recognizing that the developing countries have made a major contribution to the success of the Uruguay Round, in particular by accepting the challenges of trade liberalization reforms and measures, and stressing that there is a need for positive efforts designed to ensure that developing countries, especially the least developed among them, secure a share in the growth in international trade commensurate with their economic development needs,

"Recognizing also that open subregional and regional economic integration and cooperation processes among developing countries impart substantial dynamism to global trade and enhance trade and development possibilities for all countries,

"Recognizing further the possible adverse effects of the implementation of the Uruguay Round agreements for the least developed countries, African countries, small island developing States and the net food-importing countries because of their weak physical and institutional

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8/ Legal Instruments Embodying the Results of the Uruguay Round of Multilateral Trade Negotiations, done at Marrakesh on 15 April 1994 (GATT secretariat publication, Sales No. GATT/1994-7).

infrastructure and their weak production and export structures and the need to assist them, as appropriate, to fully benefit from the implementation of the Uruguay Round agreements,

"Welcoming the generous offer of the Government of South Africa to act as host for the ninth session of the United Nations Conference on Trade and Development,

"Recognizing the role of the United Nations Conference on Trade and Development in identifying and analysing new and emerging issues in the international trade agenda and the expertise of the Conference in exploring policy options and in building consensus on such issues, as well as its specific role in providing a development perspective to international trade debates and negotiations,

"Noting the importance of the inaugural Ministerial Conference of the World Trade Organization, scheduled to take place in Singapore in December 1996, for all countries for stock taking and for reviewing and evaluating the implementation of the Uruguay Round agreements,

"Stressing the need to promote, facilitate and finance access to and the transfer of environmentally sound technologies and the corresponding know-how to the developing countries, on favourable terms, including concessional and preferential terms, taking into account the special needs of the developing countries in the implementation of Agenda 21,

"Taking note with satisfaction of the recommendation on trade, environment and sustainable development made by the Commission on Sustainable Development at its third session, 9/ and recognizing, in the spirit of a new global partnership for sustainable development, the need for a balanced and integrated approach to environment, trade and development issues,

"1. Takes note of the reports of the Trade and Development Board on the second part of its forty-first session 10/ and the first part of its forty-second session, 11/ and calls upon all States to take appropriate action to implement the outcome of those sessions;

"2. Takes note with appreciation of the Trade and Development Report, 1995, 12/ and recognizes the contribution such reports have made to the international trade and development dialogue;

9/ Official Records of the Economic and Social Council, 1995, Supplement No. 12 (E/1995/32), chap. I, paras. 47-72.

10/ A/50/15 (Vol. I).

11/ A/50/15 (Vol. II).

12/ United Nations publication, Sales No. E.95.II.D.16.

"3. Emphasizes the importance of follow-up and monitoring of the implementation of the policies and measures contained in the Cartagena Commitment, adopted by the United Nations Conference on Trade and Development at its eighth session, held at Cartagena de Indias, Colombia, from 8 to 25 February 1992;

"4. Stresses the urgent need to continue trade liberalization, including liberalization through a substantial reduction of tariff and other barriers, in particular non-tariff barriers, to trade and the elimination of discriminatory and protectionist practices in international trade relations, and to improve access to the markets of all countries, in particular those of the developed countries, in order to generate sustained economic growth and sustainable development for the benefit of all countries, in particular the developing countries;

"5. Stresses also the importance of the urgent and full implementation of the agreements contained in the Final Act Embodying the Results of the Uruguay Round of Multilateral Trade Negotiations and the significance of the entering into force of the Agreement Establishing the World Trade Organization on 1 January 1995; 13/

"6. Emphasizes the importance of the full implementation of the provisions contained in the Final Act that confer special and differential treatment for developing countries, including giving special attention to the situation of the least developed countries and the net food-importing countries;

"7. Invites the United Nations Conference on Trade and Development at its ninth session to transmit its assessment of the Uruguay Round agreements from a development perspective to the Ministerial Conference of the World Trade Organization to be held in Singapore in December 1996;

"8. Endorses the provisional agenda for the ninth session of the UNCTAD, approved by the Trade and Development Board during the second part of its forty-first session; 14/

"9. Emphasizes the need for continued review and evaluation of the implementation of the Uruguay Round agreements to ensure that the benefits of the evolving multilateral trade system promote sustained economic growth and sustainable development, in particular for the developing countries, and notes the role of the United Nations Conference on Trade and Development and the World Trade Organization in this regard;

13/ See Legal Instruments Embodying the Results of the Uruguay Round of Multilateral Trade Negotiations, done at Marrakesh on 15 April 1994 (GATT secretariat publication, Sales No. GATT/1994-7), vols. 1 and 27-31.

14/ A/50/15 (Vol. I), chap. I, sect. A.

"10. Emphasizes also the significance of the Ministerial Conference of the World Trade Organization in helping to set the future direction of a rule-based multilateral trading system;

"11. Deplores any attempt to bypass or undermine multilaterally agreed measures of trade liberalization, through resort to unilateral actions, over and above those agreed to in the Uruguay Round, and deplores the use of environmental and social concerns for protectionist purposes;

"12. Recognizes that, in order to promote sustained economic growth and sustainable development, environment and trade policies should be made mutually supportive and, in this context, takes note with satisfaction of the ongoing work of the United Nations Conference on Trade and Development on trade and environment, in particular, the outcome of its Working Group on Trade and Environment, and notes the ongoing work of the Committee on Trade and Environment of the World Trade Organization;

"13. Emphasizes the urgent need to implement the Programme of Action for the Least Developed Countries for the 1990s, taking into account the assessment and recommendations adopted at the Mid-term Global Review of the Implementation of the Programme of Action for the Least Developed Countries for the 1990s, held in New York from 25 September to 6 October 1995;

"14. Also emphasizes the urgent need for technical and financial assistance to African countries inter alia for evaluation of the impact of the Final Act Embodying the Results of the Uruguay Round of Multilateral Trade Negotiations and to enable them to identify and implement adaptive measures to enhance their competitiveness, including compensatory arrangements, diversification and modernization of production and export structures, and other measures, as appropriate;

"15. Strongly urges preference-giving countries to improve their preferential schemes, and invites the 1996 Policy Review on the Generalized System of Preferences to recommend concrete actions with a view to offsetting the erosion of preferences, and its effects, in favour of the concerned developing countries;

"16. Reaffirms the role of the United Nations Conference on Trade and Development as the focal point within the United Nations for the integrated treatment of development and interrelated issues in the areas of trade, finance, technology, investment, services and sustainable development, and in this context, stresses that the creation of the World Trade Organization has reinforced the need for the United Nations Conference on Trade and Development as a policy-oriented forum with a strong development perspective;

"17. Decides to enable the United Nations Conference on Trade and Development to discharge its mandate fully, through the provision of adequate financial resources, making it a more effective instrument for promoting development as well as addressing trade-related development concerns of the developing countries;

"18. Invites the United Nations Conference on Trade and Development to consider, in close cooperation with other competent organizations, new and emerging issues on the international trade agenda with a view to fostering international consensus-building among member States in such areas as international competition policies, trade and environment, and trade and investment and, in this context, to take advantage of its specific experiences and its capacity to analyse the issues involved in an integrated manner, with special emphasis on the development requirements and implications; in this regard, the United Nations Conference on Trade and Development also has a role in preparing the groundwork for further trade agreements in the appropriate forums;

"19. Calls upon the United Nations Conference on Trade and Development to monitor closely developments in the international trading system, in particular their implications for developing countries, and in this context, to continue to analyse measures taken to implement the Uruguay Round agreements at national and multilateral levels, the problems encountered by developing countries with implementation at the national level, and ways to make full use of new trading opportunities and special provisions in their favour with a view to making policy recommendations in these areas;

"20. Invites the secretariats of the United Nations Conference on Trade and Development and the World Trade Organization to develop further their working relationships, mutual cooperation and complementarity in order to assist developing countries in implementing the Uruguay Round agreements and in taking full advantage of opportunities arising therefrom, to analyse the issues involved and to assist those countries in preparing for ongoing and future trade negotiations;

"21. Emphasizes the importance to the international trading system of the inclusion of all countries in multilateral trade agreements and that developing countries that are not members of the World Trade Organization should be adequately assisted in the accession process to that organization;

"22. Requests the United Nations Conference on Trade and Development and invites the World Trade Organization, in accordance with their respective mandates and competence and in close cooperation with other competent United Nations bodies and the regional commissions, to address trade and environment matters comprehensively and to submit, in collaboration with the Commission on Sustainable Development, a report on the question to the Economic and Social Council at its substantive session of 1997;

"23. Also requests the United Nations Conference on Trade and Development to continue its special role in the field of trade and environment, including the conceptual framework, policy analysis and formulations, and consensus-building, with a view to ensuring transparency and coherence in making environmental and trade policies mutually supportive;

"24. Further requests the United Nations Conference on Trade and Development to focus and intensify its technical assistance in the light of the Uruguay Round agreements, with the aim of increasing the capacities of developing countries, especially the least developed countries, African countries, small island developing States, and land-locked and transit developing countries, so that they may participate effectively in the international trading system;

"25. Requests the Secretary-General to establish a trust fund with voluntary contributors to ensure full and effective participation of the representatives of the developing countries, particularly the least developed among them, at the ninth session of the United Nations Conference on Trade and Development, and also calls upon the Administrator of the United Nations Development Programme and donor countries to make such contributions."

3. At the 43rd meeting, on 12 December, the Vice-Chairman of the Committee, Mr. Conor Murphy (Ireland), introduced a draft resolution entitled "International trade and development" (A/C.2/50/L.73), which he submitted on the basis of informal consultations held on draft resolution A/C.2/50/L.17, and orally revised it as follows:

(a) In the first preambular paragraph, the words "various agreements" were replaced by the words "various agreements and conferences";

(b) In the thirteenth preambular paragraph, the words "net food importing countries" were replaced by the words "net food importing developing countries", and the words "included in the Final Act" were replaced by the words "agreed in the Final Act";

(c) In the fifteenth preambular paragraph, the date "4 May 1995" was inserted after the words "decision 426 (XLII) of";

(d) In operative paragraph 8, the word "the" was deleted before the words "ministerial conferences";

(e) In operative paragraph 20, the words "should be enabled" were replaced by the words "should enable the United Nations Conference on Trade and Development";

(f) In operative paragraph 29, the word "their" was inserted before the words "external trade".

4. Before the adoption of the draft resolution, a statement was made by the representative of the United States of America (see A/C.2/50/SR.43).

5. At the same meeting, the Committee adopted draft resolution A/C.2/50/L.73, as orally revised, without a vote (see para. 21, draft resolution I).

6. In view of the adoption of draft resolution A/C.2/50/L.73, draft resolution A/C.2/50/L.17 was withdrawn by its sponsors.

B. Draft resolution A/C.2/50/L.18

7. At the 36th meeting, on 16 November, the representative of the Philippines, on behalf of the States Members of the United Nations that are members of the Group of 77 and China, introduced a draft resolution entitled "Economic measures as a means of political and economic coercion against developing countries" (A/C.2/50/L.18).

8. At the 41st meeting, on 5 December, the Vice-Chairman of the Committee, Mr. Conor Murphy (Ireland), informed the Committee of the results of the informal consultations held on the draft resolution.

9. At the same meeting, the Committee adopted draft resolution A/C.2/50/L.18 by a recorded vote of 79 to 27, with 19 abstentions (see para. 21, draft resolution II). The voting was as follows: 15/, 16/

In favour: Algeria, Argentina, Bahrain, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cameroon, Cape Verde, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Djibouti, Ecuador, Egypt, Ethiopia, Fiji, Guinea, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Lesotho, Libyan Arab Jamahiriya, Malawi, Malaysia, Maldives, Mali, Marshall Islands, Mauritania, Mexico, Micronesia (Federated States of), Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nicaragua, Niger, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Saudi Arabia, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Australia, Austria, Belgium, Canada, Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Iceland, Ireland, Israel, Italy, Japan, Liechtenstein, Lithuania, Luxembourg, Netherlands, New Zealand, Norway, Republic of Moldova, Slovakia, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Albania, Andorra, Armenia, Azerbaijan, Bahamas, Bulgaria, Burundi, Cyprus, Georgia, Greece, Kazakstan, Malta, Poland, Portugal, Republic of Korea, Russian Federation, Spain, the former Yugoslav Republic of Macedonia, Turkey.

15/ The representatives of Nigeria and Tunisia stated that, had their delegations been present during the voting, they would have voted in favour of the draft resolution.

16/ At the 43rd meeting, on 12 December, the representative of Burundi informed the Committee that he had intended to vote in favour of the draft resolution, not to abstain.

C. Draft resolutions A/C.2/50/L.19 and L.59

10. At the 36th meeting, on 16 November, the representative of the Philippines, on behalf of the States Members of the United Nations that are members of the Group of 77 and China, as well as Kyrgyzstan and the former Yugoslav Republic of Macedonia, introduced a draft resolution entitled "Specific actions related to the particular needs and problems of land-locked developing countries" (A/C.2/50/L.19), which read:

"The General Assembly,

"Recalling the provisions of its resolutions 44/214 of 22 December 1989, 46/212 of 22 December 1991 and 48/169 of 21 December 1993,

"Recognizing that the lack of territorial access to the sea, aggravated by remoteness and isolation from world markets, and prohibitive transit costs and risks impose serious constraints on the overall socio-economic development efforts of the land-locked developing countries,

"Recognizing also that 16 of the land-locked developing countries are also classified by the United Nations as least developed countries and that their geographical situation is an added constraint on their overall ability to cope with the challenges of development,

"Recognizing further that most transit countries are themselves developing countries facing serious economic problems, including the lack of adequate infrastructure in the transport sector,

"Recalling that measures to deal with the transit problems of land-locked developing countries require closer and even more effective cooperation and collaboration between those countries and their transit neighbours,

"Welcoming the entry into force of the United Nations Convention on the Law of the Sea 17/ on 16 November 1994,

"Recognizing the important role played by bilateral cooperative arrangements and regional and subregional cooperation and integration in alleviating the transit problems of the land-locked developing countries and improving the transit transport systems in land-locked and transit developing countries,

"Recognizing also the importance of continuing the activities of the regional commissions to improve the transit transport infrastructure in the land-locked and transit developing countries,

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17/ Official Records of the Third United Nations Conference on the Law of the Sea, vol. XVII (United Nations publication, Sales No. E.84.V.3), document A/CONF.62/122.

"Noting the importance of strengthening the existing international support measures with a view to addressing further the problems of land-locked developing countries,

"1. Reaffirms the right of access of land-locked developing countries to and from the sea and freedom of transit through the territory of transit States by all means of transport, in accordance with international law;

"2. Also reaffirms that transit developing countries, in the exercise of their full sovereignty over their territory, have the right to take all measures necessary to ensure that the rights and facilities provided for land-locked developing countries should in no way infringe upon their legitimate interests;

"3. Calls upon both the land-locked developing countries and their transit neighbours, in the spirit of South-South cooperation, including bilateral cooperation, to implement measures to strengthen further their cooperative and collaborative efforts in dealing with their transit problems;

"4. Appeals once again to all States, international organizations and financial institutions to implement, as a matter of urgency and priority, the specific actions related to the particular needs and problems of land-locked developing countries envisaged in the previous resolutions adopted by the General Assembly and the United Nations Conference on Trade and Development, and in the International Development Strategy for the Fourth United Nations Development Decade 2/ and the Declaration on International Economic Cooperation, in particular the Revitalization of Economic Growth and Development of the Developing Countries, adopted at the eighteenth special session of the General Assembly and contained in the annex to its resolution S-18/3 of 1 May 1990, as well as the relevant provisions of the Programme of Action for the Least Developed Countries for the 1990s; 4/

"5. Invites the land-locked developing countries and their transit neighbours to intensify further their cooperative arrangements for the development of the transit infrastructures, institutions and services to facilitate the faster movement of goods in transit, with financial and technical assistance from donors and financial agencies;

"6. Emphasizes that assistance for the improvement of transport transit facilities and services should be integrated into the overall economic development strategies of the land-locked and transit developing countries and that donor assistance should consequently take into account the requirements for the long-term restructuring of the economies of the land-locked developing countries;

"7. Calls upon donor countries and multilateral financial and development institutions to provide land-locked and transit developing countries with appropriate financial and technical assistance in the form of grants or concessional loans for the construction, maintenance and improvement of their transport, storage and other transit-related facilities, including alternative routes and improved communications;

"8. Invites the United Nations Development Programme further to promote, as appropriate, subregional, regional and interregional projects and programmes and to expand its support in the transport and communications sectors to the land-locked and transit developing countries and its technical cooperation for development geared towards promoting national and collective self-reliance among them;

"9. Takes note of the report of the Second Meeting of Governmental Experts from Land-locked and Transit Developing Countries and Representatives of Donor Countries and Financial and Development Institutions held in New York from 19 to 22 June 1995, 18/ and endorses the Global Framework for Transit Transport Cooperation between Land-locked and Transit Developing Countries and the Donor Community contained therein;

"10. Requests the Secretary-General of the United Nations Conference on Trade and Development, in collaboration with the donor countries and institutions, in particular, the United Nations Development Programme, the regional commissions and relevant subregional institutions, to organize specific consultative groups, when requested by the land-locked and transit developing countries concerned, to identify priority areas for action at the national and subregional level and draw up action programmes with a time-frame for the period 1996-1997;

"11. Requests the Secretary-General to convene in 1997, within the overall level of resources for the biennium 1996-1997, another meeting of governmental experts from land-locked and transit developing countries, representatives of donor countries and financial and development institutions, including relevant regional and subregional economic organizations and commissions, to review progress in the development of transit systems in the land-locked and transit developing countries, taking into account, inter alia, the results of the consultative group meetings referred to in paragraph 10 above, and to recommend further appropriate action, including elaboration of programmes, as well as overall assessment of financial resources for further improvement of transit transport systems, and study the implications of globalization and liberalization of the world economy, in particular the results of the Uruguay Round of multilateral trade negotiations, for the development prospects of land-locked developing countries;

"12. Requests the Secretary-General of the United Nations Conference on Trade and Development to seek voluntary contributions to ensure participation of representatives from land-locked and transit developing countries in the consultative group meetings referred to in paragraph 10 above;

"13. Notes with appreciation the contribution of the United Nations Conference on Trade and Development in formulating international measures to deal with the special problems of the land-locked developing countries, and urges the Conference, inter alia, to keep under constant review the

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18/ TD/B/42(1)-TD/B/LDC/AC.1/7.

evolution of transit-transport infrastructure facilities, institutions and services, monitor the implementation of agreed measures, collaborate in all relevant initiatives, including those of the private sector and non-governmental organizations, and serve as a focal point on cross-regional issues of interest to land-locked developing countries;

"14. Invites the Secretary-General of the United Nations, in consultation with the Secretary-General of the United Nations Conference on Trade and Development, to take appropriate measures to enhance the capacity of the Conference, within existing resources for the biennium 1996-1997, in the area dealing with land-locked developing countries so as to ensure the effective implementation of the activities called for in the present resolution and of existing measures in support of land-locked developing countries;

"15. Welcomes the note by the Secretary-General and the progress report of the secretariat of the United Nations Conference on Trade and Development on specific actions related to the particular needs and problems of land-locked developing countries, 19/ and requests the Secretary-General of the United Nations, together with the Secretary-General of the United Nations Conference on Trade and Development, to prepare a report on the implementation of the provisions of the present resolution and submit it to the Trade and Development Board and to the General Assembly at its fifty-second session."

11. At the 42nd meeting, on 8 December, the Vice-Chairman of the Committee, Mr. Conor Murphy (Ireland), introduced a draft resolution entitled "Specific actions related to the particular needs and problems of land-locked developing countries" (A/C.2/50/L.59), which he submitted on the basis of informal consultations held on draft resolution A/C.2/50/L.19.

12. At the same meeting, a statement of the conference-servicing implications of draft resolution A/C.2/50/L.59 was read out by the Secretary of the Committee (see A/C.2/50/SR.42).

13. Also at the same meeting, the Committee adopted draft resolution A/C.2/50/L.59 without a vote (see para. 21, draft resolution III).

14. In view of the adoption of draft resolution A/C.2/50/L.59, draft resolution A/C.2/50/L.19 was withdrawn by its sponsors.

D. Draft resolutions A/C.2/50/L.20 and L.50

15. At the 36th meeting, on 16 November, the representative of the Philippines, on behalf of the States Members of the United Nations that are members of the Group of 77 and China, introduced a draft resolution entitled "Ninth session of the United Nations Conference on Trade and Development" (A/C.2/50/L.20), which read:

19/ A/50/341.

"The General Assembly,

"Recalling its resolution 1995 (XIX) of 30 December 1964, as amended, on the establishment of the United Nations Conference on Trade and Development as an organ of the General Assembly,

"Reaffirming the important role of the United Nations Conference on Trade and Development as a principal organ of the General Assembly in the field of trade and development and as the most appropriate focal point within the United Nations proper for the integrated treatment of development and interrelated issues in key areas, including trade, commodities, finance, investment, services and technology, in the interests of all countries, in particular developing ones,

"Recalling the far-reaching institutional reform measures adopted by the United Nations Conference on Trade and Development at its eighth session regarding the functions, intergovernmental machinery, methods of work and substantive orientations of the Conference,

"Expressing its satisfaction with the early and unanimous agreement reached by the Trade and Development Board, at the second part of its forty-first session, on the development-oriented provisional agenda for the ninth session of the United Nations Conference on Trade and Development, encompassing major issues of current concern at both macro- and microeconomic levels under the unifying theme of "Promoting growth and sustainable development in a globalizing and liberalizing world economy", 14/

"Considering that the ninth session of the United Nations Conference on Trade and Development is the major intergovernmental economic and development event of 1996 within the United Nations that can deepen further the consensus reached on "A New Partnership for Development: the Cartagena Commitment" 5/ and complement the continuum of major United Nations thematic conferences that have taken place recently,

"Taking note of the recommendation of the Trade and Development Board that the ninth session of the United Nations Conference on Trade and Development should take place in Midrand, Gauteng Province, South Africa, from 27 April to 11 May 1996, to be preceded by a one-day meeting of senior officials on 26 April 1996,

"1. Welcomes with appreciation the generous offer made by the Government of South Africa to host the ninth session of the United Nations Conference on Trade and Development;

"2. Decides to convene the ninth session of the United Nations Conference on Trade and Development in Midrand, Gauteng Province, South Africa, from 27 April to 11 May 1996, to be preceded by a one-day meeting of senior officials in the same place on 26 April 1996;

"3. Stresses the crucial importance of the ninth session of the United Nations Conference on Trade and Development in advancing the

dialogue on international economic cooperation for trade and development and affirms the need to achieve through the session a constructive and action-oriented outcome;

"4. Calls upon all Member States to ensure their full participation, at the highest political level, at the ninth session of the United Nations Conference on Trade and Development;

"5. Urges all Member States to take appropriate steps in order to ensure adequate preparations at the national, regional and interregional levels and within the framework of the permanent machinery of the United Nations Conference on Trade and Development for the purpose of facilitating a positive and action-oriented outcome."

16. At the same meeting, the representative of South Africa made a statement (see A/C.2/50/SR.36).

17. At the 41st meeting, on 5 December, the Vice-Chairman of the Committee, Mr. Conor Murphy (Ireland), introduced a draft resolution entitled "Ninth session of the United Nations Conference on Trade and Development" (A/C.2/50/L.50), which he submitted on the basis of informal consultations held on draft resolution A/C.2/50/L.20, and orally revised operative paragraph 4 by inserting the word "possible" after the word "highest".

18. At the same meeting, the Committee adopted draft resolution A/C.2/50/L.50, as orally revised, without a vote (see para. 21, draft resolution IV).

19. In view of the adoption of draft resolution A/C.2/50/L.50, draft resolution A/C.2/50/L.20 was withdrawn by its sponsors.

E. Draft decision

20. At the 43rd meeting, on 12 December, the Committee decided to take note of the note by the Secretary-General on negotiations on an international code of conduct on the transfer of technology (see para. 22).

III. RECOMMENDATIONS OF THE SECOND COMMITTEE

21. The Second Committee recommends to the General Assembly the adoption of the following draft resolutions:

DRAFT RESOLUTION I

International trade and development

The General Assembly,

Reaffirming the Declaration on International Economic Cooperation, in particular the Revitalization of Economic Growth and Development of the

Developing Countries, 20/ the International Development Strategy for the Fourth United Nations Development Decade, 21/ the United Nations New Agenda for the Development of Africa in the 1990s, 22/ the Programme of Action for the Least Developed Countries for the 1990s, 23/ the Cartagena Commitment, 24/ Agenda 21, 25/ and the various agreements and conferences that provide an overall policy framework for sustained economic growth and sustainable development to address the challenges of the 1990s,

Recalling its resolutions 1995 (XIX) of 30 December 1964, as amended, 26/ on the establishment of the United Nations Conference on Trade and Development as an organ of the General Assembly, 47/183 of 22 December 1992 on the eighth session of the Conference, and 48/55 of 10 December 1993 and 49/99 of 19 December 1994 on international trade and development,

Welcoming the appointment of the Secretary General of the United Nations Conference on Trade and Development,

Noting the progress made by the United Nations Conference on Trade and Development in the implementation of the outcome of its eighth session, in particular its contribution, within its mandate, to trade and development,

Emphasizing the importance of an open, rule-based, equitable, secure, non-discriminatory, transparent and predictable multilateral trading system,

Emphasizing also that a favourable and conducive international economic and financial environment and a positive investment climate are necessary for the economic growth of the world economy, including the creation of employment, in particular for the sustained economic growth and sustainable development of the developing countries, and emphasizing further that each country is responsible for its own economic policies for development,

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20/ Resolution S-18/3, annex.

21/ Resolution 45/199, annex.

22/ Resolution 46/151, annex, sect. II.

23/ Report of the Second United Nations Conference on the Least Developed Countries, Paris, 3-14 September 1990 (A/CONF.147/18), part one.

24/ See Proceedings of the United Nations Conference on Trade and Development, Eighth Session, Report and Annexes (United Nations publication, Sales No. E.93.II.D.5), part one, sect. A.

25/ Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992, vol. I, Resolutions Adopted by the Conference (United Nations publication, Sales No. E.93.I.8 and corrigendum), resolution 1, annex II.

26/ See resolutions 2904 A (XXVII), 31/2 A and B and 34/3.

Welcoming the successful conclusion of the Uruguay Round of multilateral trade negotiations at the Ministerial Meeting of the Trade Negotiations Committee, held at Marrakesh, Morocco, from 12 to 15 April 1994, and noting that the Uruguay Round agreements 27/ represent a historic achievement, which is expected to contribute to strengthening the world economy and to lead to more trade, investment, employment and income growth throughout the world and in particular to the promotion of sustained economic growth and sustainable development, especially in the developing countries,

Emphasizing the importance of strengthening and attaining a greater universality of the international trading system and welcoming the process directed towards the accession to the World Trade Organization of economies in transition and developing countries that are not members of the General Agreement on Tariffs and Trade, thereby contributing to their rapid and full integration into the multilateral trading system,

Noting the assessment and recommendations adopted at the Mid-term Global Review of the Implementation of the Programme of Action for the Least Developed Countries for the 1990s, held in New York from 25 September to 6 October 1995,

Noting also that the Uruguay Round agreements should lead, inter alia, to a substantial liberalization of international trade, the strengthening of multilateral rules and disciplines to ensure more stability and predictability in trade relations, and the establishing of rules and disciplines in new areas, and noting further the founding of a new institutional framework in the form of the World Trade Organization, with an integrated dispute settlement mechanism which should prevent the application of unilateral actions against international trade rules,

Recognizing that the developing countries have made a major contribution to the success of the Uruguay Round, in particular by accepting the challenges of trade liberalization reforms and measures, and stressing that there is a need for positive efforts designed to ensure that developing countries, especially the least developed among them, secure a share in the growth in international trade commensurate with their economic development needs,

Recognizing also that the subregional and regional economic integration processes, including those among developing countries, which have intensified in recent years, impart substantial dynamism to global trade and enhance trade and development possibilities for all countries, and stressing that, in order to maintain the positive aspects of such integration arrangements and to assure the prevalence of their dynamic growth effects, Member States and groupings should be outward oriented and supportive of the multilateral trading system,

Expressing concern about possible adverse effects for the least developed countries, particularly those in Africa and net food importing developing countries, arising from the implementation of the Uruguay Round agreements, as

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27/ Legal Instruments Embodying the Results of the Uruguay Round of Multilateral Trade Negotiations, done at Marrakesh on 15 April 1994 (GATT secretariat publication, Sales No. GATT/1994-7).

agreed in the Final Act Embodying the Results of the Uruguay Round of Multilateral Trade Negotiations, 28/ signed at Marrakesh, and recognizing the need to assist those disadvantaged developing countries so that they benefit fully from the implementation of the Uruguay Round,

Welcoming the generous offer of the Government of South Africa to act as host for the ninth session of the United Nations Conference on Trade and Development,

Recognizing the role of the United Nations Conference on Trade and Development in identifying and analysing new and emerging issues in the international trade agenda in accordance with agreed conclusions 410 (XL) of 29 April 1994 of the Trade and Development Board on the Uruguay Round, 29/ agreed conclusions 419 (XLI) of 30 September 1994 of the Board on the Uruguay Round, 30/ and decision 426 (XLII) of 4 May 1995 of the Board, 31/ and with the provisional agenda for the ninth session of the United Nations Conference on Trade and Development, 32/

Noting the importance of the inaugural Ministerial Conference of the World Trade Organization, to be held in Singapore in December 1996,

Stressing the need to promote, facilitate and finance, as appropriate, access to and the transfer of environmentally sound technologies and the corresponding know-how in particular to the developing countries, on favourable terms, including concessional and preferential terms, as mutually agreed, taking into account the need to protect intellectual property rights, as well as the special needs of the developing countries in the implementation of Agenda 21,

Taking note with satisfaction of the recommendation on trade, environment and sustainable development made by the Commission on Sustainable Development at its third session, 33/ and recognizing, in the spirit of a new global partnership for sustainable development, the need for a balanced and integrated approach to environment, trade and development issues,

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28/ Ibid., vol. 1.

29/ See Official Records of the General Assembly, Forty-ninth Session, Supplement No. 15 (A/49/15), vol. I, part one, chap. II, sect. A.

30/ Ibid., vol. II, chap. II, sect. A.

31/ See A/50/15 (vol. II).

32/ See A/50/15 (vol. I), chap. I, sect. A.

33/ Official Records of the Economic and Social Council, 1995, Supplement No. 12 (E/1995/32), chap. I, paras. 47-72.

1. Takes note of the reports of the Trade and Development Board on the second part of its forty-first session 34/ and the first part of its forty-second session, 35/ and calls upon all States to take appropriate action to implement the outcome of those sessions;

2. Also takes note of the Trade and Development Report, 1995, 36/ and recognizes the contribution such reports have made to the international trade and development dialogue;

3. Emphasizes the importance of follow-up and monitoring of the implementation of the policies and measures contained in the Cartagena Commitment, 24/ adopted by the United Nations Conference on Trade and Development at its eighth session, held at Cartagena de Indias, Colombia, from 8 to 25 February 1992;

4. Stresses the urgent need to continue trade liberalization, including liberalization through a substantial reduction of tariff and other barriers to trade, in particular non-tariff barriers, and the elimination of discriminatory and protectionist practices in international trade relations, and to improve access to the markets of all countries, in particular those of the developed countries, so as to generate sustained economic growth and sustainable development;

5. Also stresses the need for the full integration of the economies in transition, as well as other countries, into the world economy, in particular through improved market access for their exports and elimination of discriminatory tariff and non-tariff measures and further liberalization of their trade regimes, including vis-à-vis developing countries, and recognizes in this respect the importance of open regional economic integration of interested economies in transition among themselves as well as with developed and/or developing countries in creating new possibilities for expanding trade and investment;

6. Further stresses the importance of the timely and full implementation of the agreements contained in the Final Act Embodying the Results of the Uruguay Round of Multilateral Trade Negotiations and the significance of the entering into force on 1 January 1995 of the Agreement Establishing the World Trade Organization; 37/

7. Emphasizes the importance of the full and continuing implementation of the provisions contained in the Final Act that confer special and differential

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34/ A/50/15 (vol. I).

35/ A/50/15 (vol. II).

36/ United Nations publication, Sales No. E.95.II.D.16.

37/ See Legal Instruments Embodying the Results of the Uruguay Round of Multilateral Trade Negotiations, done at Marrakesh on 15 April 1994 (GATT secretariat publication, Sales No. GATT/1994-7), vols. 1 and 27-31.

treatment for developing countries, including decisions giving special attention to the situation of the least developed countries and the net food importing developing countries;

8. Notes the work that has been undertaken jointly and separately by the United Nations Conference on Trade and Development and the World Trade Organization on the impact of the Uruguay Round on developing countries, and looks forward to the integration of this analysis into discussions, including those at ministerial conferences;

9. Invites the United Nations Conference on Trade and Development at its ninth session to transmit its assessment of challenges and opportunities arising from the Uruguay Round agreements from a development perspective to the Ministerial Conference of the World Trade Organization;

10. Emphasizes the need for continued review and evaluation of the implementation of the Uruguay Round agreements to ensure that the benefits of the evolving multilateral trade system promote sustained economic growth and sustainable development;

11. Also emphasizes the significance of the Ministerial Conference of the World Trade Organization, to be held in Singapore in December 1996, in helping to set the future direction of a rule-based multilateral trading system;

12. Deplores any attempt to bypass or undermine multilaterally agreed measures of trade liberalization, through resort to unilateral actions over and above those agreed to in the Uruguay Round, and reaffirms that environmental and social concerns should not be used for protectionist purposes;

13. Notes the work of the United Nations Conference on Trade and Development on trade and environment, in particular the outcome of its Ad Hoc Working Group on Trade, Environment and Development, and also notes the work of the Committee on Trade and Environment of the World Trade Organization;

14. Also notes the progress achieved by the joint United Nations Environment Programme/United Nations Conference on Trade and Development programme in the consideration of trade and environment issues, and invites the two organizations to continue their work in accordance with paragraph 59 of chapter I of the report of the Commission on Sustainable Development on its third session; 38/

15. Reaffirms the need as a matter of priority to implement the Programme of Action for the Least Developed Countries for the 1990s, taking into account the assessment and recommendations adopted at the Mid-term Global Review of the Implementation of the Programme of Action for the Least Developed Countries for the 1990s, held in New York from 25 September to 6 October 1995;

38/ Official Records of the Economic and Social Council, 1995, Supplement No. 12 (E/1995/32).

16. Emphasizes the urgent need for assistance to African countries, inter alia, for evaluation of the impact of the Final Act Embodying the Results of the Uruguay Round of Multilateral Trade Negotiations and to enable them to identify and implement adaptive measures to enhance their competitiveness;

17. Requests preference-giving countries to improve their preferential schemes, and invites the 1996 policy review of the generalized system of preferences to examine possible adaptations to the system, taking into account paragraphs 134 to 140 of the Cartagena Commitment, 24/ as well as the results of the Uruguay Round;

18. Reaffirms the role that the United Nations Conference on Trade and Development has been playing as the focal point within the United Nations for the integrated treatment of development and interrelated issues in the areas of trade, finance, technology, investment, services and sustainable development and, within this context, stresses that there should be constructive and effective cooperation between the Conference and the World Trade Organization, based on the complementarity of their functions;

19. Decides to enable the United Nations Conference on Trade and Development to discharge its mandate, thereby making it a more effective and efficient instrument for promoting development;

20. Recognizes that the United Nations Conference on Trade and Development at its ninth session will, inter alia, consider the future role of the Conference, including its relationship with other international institutions, to generate synergies among them and, on the basis of the mandate of the Conference and with a view to strengthening the United Nations system, the Conference should enable the United Nations Conference on Trade and Development to become a more effective instrument for promoting development;

21. Invites the United Nations Conference on Trade and Development to consider, in close cooperation with other competent organizations, new and emerging issues in the international trade agenda, taking into account the new multilateral trade framework, with a view to fostering international consensus-building among Member States in such areas as trade and environment and competition policy, and, in this regard, recognizes the role of the Conference in preparing the background work and consensus-building on such issues in accordance with agreed conclusions 410 (XL) and 419 (XLI) and decision 426 (XLII) of the Trade and Development Board;

22. Also invites the United Nations Conference on Trade and Development, in close cooperation with other competent organizations, to follow developments in the international trading system, in particular their implications for developing countries, and identify new trading opportunities arising from the implementation of the Uruguay Round agreements so as to provide information and technical support with a view to facilitating the integration of those countries into the system and to assist them in taking full advantage of new trading opportunities, in accordance with agreed conclusions 410 (XL) of the Trade and Development Board;

23. Requests the United Nations Conference on Trade and Development to monitor, analyse and review the development of trade between economies in transition and developing countries and to recommend appropriate measures for its revival, thus contributing to the strengthening of the multilateral trading system;

24. Welcomes the measures taken by the secretariats of the United Nations Conference on Trade and Development and the World Trade Organization and invites them to continue to develop their working relationship, mutual cooperation and complementarity;

25. Emphasizes the importance to the international trading system of the inclusion in multilateral trade agreements of all countries that are not members of the World Trade Organization, and urges the international community to assist appropriately and adequately those countries that are not members of the World Trade Organization in the steps towards acceding to that Organization;

26. Requests the United Nations Conference on Trade and Development, and invites the World Trade Organization, in accordance with their respective mandates and competence and in close cooperation with other competent United Nations bodies and the regional commissions, to address trade and environment matters comprehensively and to report, through the Commission on Sustainable Development, to the Economic and Social Council and to the General Assembly at its special session in 1997 on the concrete progress achieved on the issue of trade and environment;

27. Also requests the United Nations Conference on Trade and Development to continue its special role in the field of trade and environment, including analytical and empirical work, conceptual and empirical studies, policy analysis, and consensus-building, with a view to ensuring transparency and coherence in making environmental and trade policies mutually supportive, taking into account the need for continuing close cooperation and complementarity in the work of the Conference, the United Nations Environment Programme and the World Trade Organization;

28. Further requests the United Nations Conference on Trade and Development to focus and intensify, where necessary, its technical assistance in the light of the Uruguay Round agreements, in cooperation with relevant international organizations, in particular the International Trade Centre and the World Trade Organization, with the aim of increasing the capacities of developing countries, especially the least developed countries, African countries, and small island developing States, so that they may participate effectively in the international trading system;

29. Requests the United Nations Conference on Trade and Development to continue to provide technical assistance to economies in transition, bearing in mind the needs of developing countries, in particular with regard to their full integration into the multilateral trading system, so as to contribute to the expansion of their external trade, inter alia, with developing countries.

DRAFT RESOLUTION II

Economic measures as a means of political and economic coercion against developing countries

The General Assembly,

Recalling the relevant principles set forth in the Charter of the United Nations,

Reaffirming that no State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights,

Bearing in mind the general principles governing the international trading system and trade policies for development contained in relevant resolutions, rules and provisions of the United Nations Conference on Trade and Development, the General Agreement on Tariffs and Trade and the World Trade Organization,

Reaffirming its resolutions 44/215 of 22 December 1989, 46/210 of 20 December 1991 and 48/168 of 21 December 1993,

Gravely concerned that the use of coercive economic measures adversely affects the economy and development efforts of developing countries and has a general negative impact on international economic cooperation and on worldwide efforts to move towards a non-discriminatory and open trading system,

1. Takes note of the report of the Secretary-General, 39/ which contains a summary of the deliberations of the group of experts on coercive economic measures;

2. Urges the international community to adopt urgent and effective measures to eliminate the use by some developed countries of unilateral coercive economic measures against developing countries which are not authorized by relevant organs of the United Nations or are inconsistent with the principles contained in the Charter of the United Nations, as a means of forcibly imposing the will of one State on another;

3. Requests the Secretary-General to assign to the Department for Economic and Social Information and Policy Analysis of the Secretariat, in cooperation with the United Nations Conference on Trade and Development, the task of continuing to monitor the imposition of measures of this nature and to prepare possible methodologies or criteria for evaluating the impact of such measures on the affected countries, including the impact on trade and development, for the consideration of Member States;

4. Also requests the Secretary-General to submit a report to the General Assembly at its fifty-second session on the implementation of the present resolution.

39/ A/50/439.

DRAFT RESOLUTION III

Specific actions related to the particular needs and problems of land-locked developing countries

The General Assembly,

Recalling the provisions of its resolutions 44/214 of 22 December 1989, 46/212 of 22 December 1991 and 48/169 of 21 December 1993,

Recognizing that the lack of territorial access to the sea, aggravated by remoteness and isolation from world markets, and prohibitive transit costs and risks impose serious constraints on the overall socio-economic development efforts of the land-locked developing countries,

Recognizing also that 16 of the land-locked developing countries are also classified by the United Nations as least developed countries and that their geographical situation is an added constraint on their overall ability to cope with the challenges of development,

Recognizing further that most transit countries are themselves developing countries facing serious economic problems, including the lack of adequate infrastructure in the transport sector,

Recalling that measures to deal with the transit problems of land-locked developing countries require closer and even more effective cooperation and collaboration between those countries and their transit neighbours,

Welcoming the entry into force on 16 November 1994 of the United Nations Convention on the Law of the Sea, 40/

Recognizing the important role played by bilateral cooperative arrangements and regional and subregional cooperation and integration in alleviating the transit problems of the land-locked developing countries and improving the transit transport systems in land-locked and transit developing countries,

Recognizing also the importance of continuing the activities of the regional commissions to improve the transit transport infrastructure in the land-locked and transit developing countries,

Noting the importance of strengthening the existing international support measures with a view to addressing further the problems of land-locked developing countries,

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40/ Official Records of the Third United Nations Conference on the Law of the Sea, vol. XVII (United Nations publication, Sales No. E.84.V.3), document A/CONF.62/122.

1. Reaffirms the right of access of land-locked developing countries to and from the sea and freedom of transit through the territory of transit States by all means of transport, in accordance with international law;

2. Also reaffirms that transit developing countries, in the exercise of their full sovereignty over their territory, have the right to take all measures necessary to ensure that the rights and facilities provided for land-locked developing countries should in no way infringe upon their legitimate interests;

3. Calls upon both the land-locked developing countries and their transit neighbours, in the spirit of South-South cooperation, including bilateral cooperation, to implement measures to strengthen further their cooperative and collaborative efforts in dealing with their transit problems;

4. Appeals once again to all States, international organizations and financial institutions to implement, as a matter of urgency and priority, the specific actions related to the particular needs and problems of land-locked developing countries envisaged in the previous resolutions adopted by the General Assembly and the United Nations Conference on Trade and Development and in the International Development Strategy for the Fourth United Nations Development Decade 41/ and the Declaration on International Economic Cooperation, in particular the Revitalization of Economic Growth and Development of the Developing Countries, adopted at the eighteenth special session of the General Assembly and contained in the annex to its resolution S-18/3 of 1 May 1990, as well as the relevant provisions of the Programme of Action for the Least Developed Countries for the 1990s 42/ and the outcomes of recent major United Nations conferences relevant to land-locked developing countries;

5. Invites the land-locked developing countries and their transit neighbours to intensify further their cooperative arrangements for the development of transit infrastructures, institutions and services to facilitate the faster movement of goods in transit, with financial and technical assistance from donors and financial institutions;

6. Emphasizes that assistance for the improvement of transit transport facilities and services should be integrated into the overall economic development strategies of the land-locked and transit developing countries and that donor assistance should consequently take into account the requirements for the long-term restructuring of the economies of the land-locked developing countries;

7. Invites donor countries and multilateral financial and development institutions to provide land-locked and transit developing countries with appropriate financial and technical assistance in the form of grants or concessional loans for the construction, maintenance and improvement of their

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41/ Resolution 45/199, annex.

42/ Report of the Second United Nations Conference on the Least Developed Countries, Paris, 3-14 September 1990 (A/CONF.147/18), part one.

transport, storage and other transit-related facilities, including alternative routes and improved communications;

8. Invites the United Nations Development Programme further to promote, as appropriate, subregional, regional and interregional projects and programmes and to expand its support in the transport and communications sectors to the land-locked and transit developing countries and its technical cooperation for development geared towards promoting national and collective self-reliance among them;

9. Takes note of the report of the Second Meeting of Governmental Experts from Land-locked and Transit Developing Countries and Representatives of Donor Countries and Financial and Development Institutions, held in New York from 19 to 22 June 1995, 43/ and endorses the Global Framework for Transit Transport Cooperation between Land-locked and Transit Developing Countries and the Donor Community contained therein;

10. Requests the Secretary-General of the United Nations Conference on Trade and Development, in collaboration with the donor countries and institutions, in particular the United Nations Development Programme, the regional commissions and relevant subregional institutions, to organize, within existing resources, specific consultative groups, when requested by the land-locked and transit developing countries concerned, to identify priority areas for action at the national and subregional level and draw up action programmes for the period 1996-1997;

11. Requests the Secretary-General to convene in 1997, within the overall level of resources for the biennium 1996-1997, another meeting of governmental experts from land-locked and transit developing countries and representatives of donor countries and financial and development institutions, including relevant regional and subregional economic organizations and commissions, to review progress in the development of transit systems in the land-locked and transit developing countries, taking into account, inter alia, the results of the consultative group meetings referred to in paragraph 10 of the present resolution, with a view to exploring the possibility of formulating specific action-oriented measures and the ongoing study undertaken by the United Nations Conference on Trade and Development on the implications of the globalization and liberalization of the world economy for the development prospects of land-locked developing countries;

12. Requests the Secretary-General of the United Nations Conference on Trade and Development to seek voluntary contributions to ensure participation of representatives from land-locked and transit developing countries in the meeting of governmental experts from land-locked and transit developing countries and representatives of donor countries and financial and development institutions referred to in paragraph 11 of the present resolution;

13. Notes with appreciation the contribution of the United Nations Conference on Trade and Development in formulating international measures to

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43/ TD/B/42(1)-TD/B/LDC/AC.1/7.

deal with the special problems of the land-locked developing countries, and urges the Conference, inter alia, to keep under constant review the evolution of transit transport infrastructure facilities, institutions and services, monitor the implementation of agreed measures, collaborate in all relevant initiatives, including those of the private sector and non-governmental organizations, and serve as a focal point on cross-regional issues of interest to land-locked developing countries;

14. Invites the Secretary-General of the United Nations, in consultation with the Secretary-General of the United Nations Conference on Trade and Development, to take appropriate measures for the effective implementation of the activities called for in the present resolution and of existing measures in support of land-locked developing countries, within the context of the ninth session of the Conference;

15. Welcomes the note by the Secretary-General and the progress report of the secretariat of the United Nations Conference on Trade and Development on specific actions related to the particular needs and problems of land-locked developing countries, 44/ and requests the Secretary-General of the United Nations, together with the Secretary-General of the United Nations Conference on Trade and Development, to prepare a report on the implementation of the present resolution and submit it to the Trade and Development Board and to the General Assembly at its fifty-second session.

DRAFT RESOLUTION IV

Ninth session of the United Nations
Conference on Trade and Development

The General Assembly,

Recalling its resolution 1995 (XIX) of 30 December 1964, as amended, 45/ on the establishment of the United Nations Conference on Trade and Development as an organ of the General Assembly,

Reaffirming its resolution 47/183 of 22 December 1992 in which it, inter alia, emphasized the importance of the Cartagena Commitment, 46/ adopted by the United Nations Conference on Trade and Development at its eighth session, held at Cartagena de Indias, Colombia, from 8 to 25 February 1992,

Expressing its satisfaction with the early and unanimous agreement reached by the Trade and Development Board, at the second part of its forty-first

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44/ A/50/341.

45/ See resolutions 2904 A (XXVII), 31/2 A and B and 34/3.

46/ See Proceedings of the United Nations Conference on Trade and Development, Eighth Session, Report and Annexes (United Nations publication, Sales No. E.93.11.D.5), part one, sect. A.

session, on the development-oriented provisional agenda for the ninth session of the United Nations Conference on Trade and Development, 47/ pursuant to which, under the unifying theme "Promoting growth and sustainable development in a globalizing and liberalizing world economy", the Conference will be addressing the following topics:

(a) Development policies and strategies in an increasingly interdependent world economy in the 1990s and beyond:

(i) Assessment of the development problématique within the current context;

(ii) Policies and strategies for the future;

(b) Promoting international trade as an instrument for development in the post-Uruguay-Round world;

(c) Promoting enterprise development and competitiveness in developing countries and countries in transition;

(d) Future work of the United Nations Conference on Trade and Development in accordance with its mandate: institutional implications,

Considering that the ninth session of the United Nations Conference on Trade and Development is a major intergovernmental economic and development event of 1996 within the United Nations,

Taking note of the recommendation of the Trade and Development Board that the ninth session of the United Nations Conference on Trade and Development should be held at Midrand, Gauteng Province, South Africa, from 27 April to 11 May 1996, preceded by a one-day meeting of senior officials on 26 April 1996,

1. Welcomes with appreciation the generous offer made by the Government of South Africa to host the ninth session of the United Nations Conference on Trade and Development;

2. Decides to convene the ninth session of the United Nations Conference on Trade and Development at Midrand, Gauteng Province, South Africa, from 27 April to 11 May 1996, to be preceded by a one-day meeting of senior officials at the same place on 26 April 1996;

3. Stresses the crucial importance of the ninth session of the United Nations Conference on Trade and Development in considering the topics of its provisional agenda, 47/ and affirms the need to achieve through the session a constructive and action-oriented outcome;

4. Calls upon all Governments to ensure their full participation, at the highest possible political level, in the ninth session of the United Nations Conference on Trade and Development;

47/ See A/50/15 (vol. I), chap. I, sect. A.

5. Invites the Secretary-General to establish a fund to which voluntary contributions can be made with a view to contributing to the participation of representatives of the least developed countries in the ninth session of the United Nations Conference on Trade and Development;

6. Urges all Governments to take appropriate steps to ensure adequate preparations at the national, regional and interregional levels and within the framework of the permanent machinery of the United Nations Conference on Trade and Development for the purpose of facilitating a positive and action-oriented outcome.

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22. The Second Committee also recommends to the General Assembly the adoption of the following draft decision:

Note by the Secretary-General on negotiations on an international code of conduct on transfer of technology

The General Assembly decides to take note of the note by the Secretary-General on negotiations on an international code of conduct on transfer of technology. 48/

48/ A/50/486.